

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

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RAFAEL ANTONIO GARAVITO-GARCIA,

Civil No. 20-1781 (JRT/KMM)

Petitioner,

v.

UNITED STATES OF AMERICA,

**ORDER ON REPORT  
AND RECOMMENDATION**

Respondent.

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Rafael Antonio Garavito-Garcia, Reg No. 71263-054, FMC-Rochester, P.O. Box 4000, Rochester, MN 55903, *pro se* petitioner.

Ana H Voss, Ann Bildtsen, Assistant United States Attorneys, **UNITED STATES ATTORNEY'S OFFICE**, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, for respondent.

United States Magistrate Judge Katherine Menendez filed a Report and Recommendation on February 1, 2021. (ECF No. 6) No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that

1. The Petition is **DENIED** without prejudice as to Grounds Two through Four.
2. The Petition is **TRANSFERRED** to the U.S. District Court for the Southern District of New York for the limited purpose of addressing Ground One.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 25, 2021  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court